

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JOEY KIMBROUGH,)
)
 Plaintiff,) Case No. 1:22-cv-01993-TWP-MJD
)
 v.)
)
 AMERICAN EXPRESS COMPANY, aka)
 AMERICAN EXPRESS NATIONAL BANK,)
)
 Defendant.)

ORDER

In September 2023, this Court granted Defendant's Motion to Compel Arbitration (Dkt. 29) and entered its Order compelling arbitration (Dkt. 49) and Order Staying Proceedings Pending Arbitration and Dismissing Pending Motion Without Prejudice (Dkt 50). Specifically, *pro se* Plaintiff Joey Kimbrough ("Kimbrough") was ordered to participate in arbitration proceedings concerning his disputes with Defendant American Express Company aka American Express National Bank ("American Express") and all proceedings in this case are stayed pending the completion of arbitration.

Pursuant to the Court's Orders, (Dkts. 49 and 50), American Express was ordered to file a "Notice setting forth the status of the arbitration proceedings on or before Friday, January 5, 2024, and every thirty (30) days thereafter." (Dkt. 49 at 5.) American Express has filed five monthly Notices and the status of arbitration has not changed – "[t]o date, undersigned counsel for American Express has not received notice that Plaintiff has commenced arbitration proceedings." (Dkts. 78 at 1; 84 at 2; 86 at 2; 88 at 2; 90 at 2.) The Notices indicate that Kimbrough has either intentionally, or perhaps inadvertently, failed to comply with the order compelling arbitration.

The parties are **ORDERED** to promptly contact the Magistrate Judge to schedule a status conference to discuss Kimbrough's perceived failure to comply with the Court's Order compelling arbitration proceedings.

SO ORDERED.

Date: 5/7/2024



Hon. Tanya Walton Pratt, Chief Judge
United States District Court
Southern District of Indiana

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Magistrate Judge Dinsmore's Chambers